

Opening Statement of C&T Republican Leader Bob Latta
Subcommittee on Communications and Technology
“Markup of H.R. 1644, the Save the Internet Act of 2019”
March 25, 2019
As Prepared for Delivery

Here we are at our subcommittee’s first markup of the new Congress. Despite our requests and attempts to put forward a menu of options to work together on net neutrality, the majority has decided to push forward on a partisan basis. It’s a real missed opportunity.

There are other potential solutions targeted at the behavior we all agree consumers should be protected from. As I said at the last hearing, the idea that only Title II can be “real” net neutrality is dangerous and wrong. There are many other ways to approach this issue, including the three bills Republicans have introduced as starting points for discussion.

Some of our colleagues have dismissed my own bill and those of Mr. Walden and Mrs. Rodgers out of hand. I even read somewhere that the three Republican net neutrality bills were “drafted by the ISPs”!

That would certainly come as a big surprise to the last Democratic Chairman of Energy and Commerce, Henry Waxman. My bill tracks his

proposal from 2010 almost identically, and I don't think he considered it to be "fake net neutrality," and I don't think that any ISPs were involved in drafting it at that time.

Also, I think it would come as a big surprise to the Democrats in the Washington State legislature and Governor Inslee, a former member of this Committee. Just about year ago he signed into law a net neutrality bill passed by an overwhelming bipartisan majority. The Governor was widely celebrated by net neutrality fans at the time, so what has changed in the last year to cause a completely different reaction when the same thing was introduced by our colleague Mrs. Rodgers a few weeks ago? Rarely has anyone moved a set of goalposts quite so boldly yet with so few people seeming to notice.

The goalposts have drastically shifted to complete government control of the internet. This innovative, economic, and social engine, which thrived for decades with little government input, will now be throttled by the heavy hand of Title II.

There's a reason why Title II was a huge investment killer for small ISPs in the short time it was in effect. I highlighted at the last hearing some of the most troubling examples of the government's free-ranging

authority to take over and micromanage privately owned broadband networks under Title II.

My colleague Chairman Doyle acknowledged that Title II does in fact carry all of that authority, but claimed that this bill would lock in permanent forbearance to keep the FCC from exercising much of it. It is not clear to me that this would actually be the effect of the bill's language, but even if it were, it appears that the FCC could easily accomplish all of the same mischief through the broad authority granted in sections 201 and 202.

So, if you are a small rural broadband provider, there is still plenty to worry about here. We are all hearing concerns from folks in this exact situation, based on their thankfully short real-world experience with Title II.

I hope some of my colleagues in the majority will be able to see past the false dilemma you are being presented with here. We stand ready to work with anyone who is not completely wedded to Title II. Thank you and with that I yield back.